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PHONE NO.

DATE August 10, 2005

This is the first page of 4

FROM Edward (Ted) Yoo

LAWYER NO 807 FILE NO 45722.2

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Message  
Application No. ) 09/681,881  
Filing Date ) June 20, 2001  
Inventor (first named) ) Stuart Squires  
Group Art Unit ) 1754  
Examiner Name ) Kevin P. KERNS  
Attorney Docket No. ) 45722.2

Enclosed is Response to Non-compliant amendment dated July 19, 2005.

Edward Yoo 41435

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# **Notice of Non-Compliant Amendment (37 CFR 1.121)**

Application No.

09/681,881

Examiner

Kevin P. Kerns

Applicant(s)

SQUIRES ET AL.

Art Unit

1725

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

The amendment document filed on 11 March 2005 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required.

## THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

### ☒ 1. Amendments to the specification:

☐ A. Amended paragraph(s) do not include markings.

☐ B. New paragraph(s) should not be underlined.

☒ C. Other paragraph [0054] is incomplete, as it is missing 8 lines; and paragraph [0013] has no apparent amendments ("phases;" has been underlined, but has not been amended).

### ☐ 2. Abstract:

☐ A. Not presented on a separate sheet. 37 CFR 1.72.

☐ B. Other \_\_\_\_\_.

### ☐ 3. Amendments to the drawings:

☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).

☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.

☐ C. Other \_\_\_\_\_.

### ☐ 4. Amendments to the claims:

☐ A. A complete listing of all of the claims is not present.

☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)

☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).

☐ D. The claims of this amendment paper have not been presented in ascending numerical order.

☐ E. Other: \_\_\_\_\_.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preoqnotice/officeflyer.pdf>.

## TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

*Kevin Kerns 7/15/05*

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

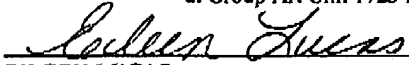
Application No. ) 09/681,881  
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Attorney Docket No. ) 45722.2

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I hereby certify that this document is being facsimile transmitted on this date August 10, 2005 to  
FAX No. 571-273-8300 to the U.S. Patent and Trademark Office, Attention: Examiner Kevin P. Kerns,  
at Group Art Unit 1725 in Arlington, VA 22202

  
EILEEN LUCAS

DATED: August 10, 2005

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT  
MAILED JULY 19, 2005**

Assistant Commissioner for Patents  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Notice of Non-Compliant Amendment mailed July 19, 2005 and is within  
the 1 month period for reply.

Further to Applicant's Amendment and Response to the Office Action dated March 11, 2005,  
Applicant encloses Amendment to the Specification section correcting paragraphs [0013] and [0054].